

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:23-CV-345-RJC-DCK**

PATTI RENA SMARR, Administrator of the)
Estate of BETTY JO DUNLAP MASON,)

Plaintiff,)

v.)

PELICAN HEALTH AT CHARLOTTE, LLC,)
SIMCHA HYMAN, ACCORDIUS HEALTH,)
LLC, NAFTALI ZANZIPER, and)
THE PORTOPICCOLO GROUP, LLC,)

Defendants.)

ORDER

THIS MATTER IS BEFORE THE COURT on “Defendants’ Motion To Compel Arbitration And Stay Proceedings” (Document No. 11) filed June 20, 2023. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion.

The undersigned notes that the parties have subsequently informed the undersigned’s staff that they agree that this lawsuit should be stayed and submitted to binding arbitration. The undersigned commends the parties and their counsel for reaching an agreement.

IT IS, THEREFORE, ORDERED that “Defendants’ Motion To Compel Arbitration And Stay Proceedings” (Document No. 11) is **GRANTED**. This matter is **STAYED** until otherwise ordered by the Court.

IT IS FURTHER ORDERED that the parties shall file a Joint Status Report on **October 6, 2023**, and **every sixty (60) days thereafter**, until the arbitration is complete or this matter is otherwise dismissed.

SO ORDERED.

Signed: July 7, 2023



David C. Keesler
United States Magistrate Judge

